

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JUVENAL RIOS, on behalf of
himself and all others similarly
situated,

Plaintiffs,

v

AIRBORNE EXPRESS INC, et al,

Defendants.

No C-05-2092 VRW

Related to case no
C-05-2203 VRW

ORDER

Juvenal Rios, class representative in this putative class
action, has filed notices of voluntary dismissal pursuant to FRCP
41(a)(1). Doc #75 of 05-2092; Doc #62 of 05-2203.

On August 11, 2006, the court ordered Rios to submit an
application supporting his request for the court's approval of
voluntary dismissal pursuant to FRCP 41(a)(1), Doc #63, which he
submitted on August 31, 2006. Doc #64. On September 28, 2006, the
court ordered Rios to submit the parties' settlement agreement for
the court to review in camera. Doc #80.

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1 Having considered the parties' submissions, Doc ##77, 79,
2 and examined the parties' settlement agreement, Doc #81, the court
3 approves the parties' stipulated dismissal pursuant to FRCP
4 41(a)(1). Accordingly, the class action allegations are dismissed
5 without prejudice and plaintiff's individual claims are dismissed
6 with prejudice.

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8 IT IS SO ORDERED.

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11 VAUGHN R WALKER

12 United States District Chief Judge
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